Appendix No. 1: Storm Water BMP's Maintenance Matrix

AES Puerto Rico

APPENDIX No.1 - STORM WATER BMP'S MAINTENANCE MATRIX

Task	BMP's	Area	Description	Area Owner	Frequency	Note
1	Storm Water concrete swale	East side next to switch yard up to power block area	Remove sediment and gravel accumulation.	OPER	Monthly	
2	Storm Water concrete swale	East side next to power block area (Unit 2)	Remove sediment and gravel accumulation.	OPER	Monthly	
3	Storm Water concrete swale	East side next to urea transfer area until fly/bed ash silos	Remove sediment and gravel accumulation.	CCP	Monthly	
4	Storm Water concrete channel	Start at east side along the Agremax pile until south side were concrete channel connect with the inactive coal pile storm water channel	Remove Agremax, sediment and gravel accumulation.	CCP	Weekly	
5	Storm Water concrete channel	South west concrete channel bordered the inactive coal pile until sediment trap.	Remove coal, sediment and gravel accumulation.	MH	Weekly	
6	Storm Water concrete channel	Starting in front of the limestone building until concrete channel front of active coal pile	Remove sediment and gravel accumulation.	CCP	Weekly	
7	Storm Water concrete channel	Starting in front of the active coal pile until sediment trap	Remove coal, sediment and gravel accumulation.	MH	Weekly	
8	Off Site concrete channel	North side of the plant property until guard shelter.	Remove sediment, gravel and landscape material accumulation.	WAREHOUSE	After each maintenance	Landscape Contractor perform work

9	Off Site concrete channel	West side of the plant property until head wall	Remove sediment, gravel and landscape material accumulation.	WAREHOUSE	After each maintenance	Landscape Contractor perform work
10	Concrete ditch	Starting at Admin building parking until maintenance shop	Remove sediment and gravel accumulation.	WAREHOUSE	Monthly	
11	Concrete swale	Starting west side of the cooling tower unit Storm Water Pond entrance	Remove sediment and gravel accumulation.	OPER	Monthly	
12	Earth ditch	From east side of the property until Outfall 002 head wall	Landscape maintenance.	LANDSCAPE CONTRACTOR	Monthly	WAREHOUSE
13	Earth ditch	From heavy equipment shop until 100 yr. channel outfall	Landscape maintenance.	LANDSCAPE CONTRACTOR	Monthly	WAREHOUSE
14	Wheel washer	Front of limestone dome	Replace gravel and remove gravel to maintain it operational.	CCP	Daily	
15	Truck washing area	Before entrance of paved road	Remove sediment and maintain the area stabilized to avoid tracking on paved roads.	CCP	Daily	
16	Gabion wall 10ft buffer zone	Along Agremax pile	Maintain a freeway of 10ft between the gabion wall and Agremax pile.	CCP	Daily	
17	Replacement supersilt fence membrane	Along Inactive Coal Pile	Inspect and replace membrane as needed.	MH	Quarterly	
18	Replacement of catch basin inlet protection filters	Various (SWB-06, SWB-09 and SWB-10)	Replace catch basin inlet protection.	ENG	Monthly	

19	Maintain waste container with roll up cover	Waste containers areas close to limestone silos.	Waste containers for scrap metal, regular waste and vegetation waste must be maintained covered with roll up covers.	ALL	Continuously	
20	Maintain waste container with roll up cover	Waste containers areas close to limestone silos.	Roll up covers Installation at waste containers for scrap metal, regular waste and vegetation waste.	WAREHOUSE	Daily	
21	Cooling tower foam inspection	Cooling tower east and west sides.	Inspect for foaming formation and possible overflow.	WT	Daily	
22	100 yr. Diversion Channel Cleaning	From north side of the cooling tower until wetland.	Clean and remove sediment and vegetation from the channel.	MH	Quarterly	
23	Sediment trap cleaning	Coal pile runoff pond	Remove all sediment retained.	MH	Weekly	
24	Coal pile runoff pond sediment assessment	Coal pile runoff pond	Measure amount of sediment and determine if cleaning is needed.	MAINT/ENV	Annually	
25	Storm water pond sediment assessment	Storm water pond	Measure amount of sediment and determine if cleaning is needed.	MAINT/ENV	Annually	
26	Unpaved road gravel stabilization	Around the plant	Stabilize all unpaved roads and areas with gravel.	CCP	Monthly	
27	Water treatment sludge containers	Water treatment area	All sludge containers should be maintained inside secondary containment	WT	Daily	

28	CDS/ESP Area Cleaning	Inside CDS/ESP floor area and between both units.	Maintain the area clean from ash, limestone, hydrated lime and other materials	OPER	Weekly	
29	Power block cleaning	Power block perimeter	Maintain the area clean from ash, refractory, limestone, hydrated lime and other materials	OPER	Weekly	
30	Marine Dock Area Cleaning	Marine Dock area	Clean the marine dock area each time coal/agremax transfer finish	MH/CCP	Every Transfer	
31	Dust suppression	Agremax pile	Dust suppression from Agremax pile	CCP	Daily	
32	Coal transfer dust suppression	Active coal pile	Maintain water suppression to avoid fugitive dust during coal transfer to active pile.	MH	Every Transfer	
33	Conveyor coal transfer inspection	Conveyor transfer system from dock area to active piles.	Maintain all conveyor cover and close all transfer houses doors.	MH/CCP	Every Transfer	
34	Storm water sampler equipment maintenance	SP-001 (Marine Dock Area), SP-002 (Gate #3) and SP-003 (100 yr. Diversion Channel Outfall)	Storm Water Sampling equipment components verification and maintenance as needed.	MAINT/ENV	Quarterly or before rain event	
35	Sample point maintenance	SP-001 (Marine Dock Area), SP-002 (Gate #3) and SP-003 (100 yr. Diversion Channel Outfall)	Maintain sample point in compliance with the MSGP 2008	MAINT/ENV	Quarterly	

36	Street sweeper	All paved roads	Use of mechanical street sweeper to remove sediment and silt from road and ditches	CCP	Daily	
37	Street water suppression	All paved roads	Use of water truck to wet paved street to avoid fugitive dust.	CCP	Daily	
38	Grating	Next to guard shelter at gate #3	Remove sediment and gravel accumulation.	CCP	Monthly	
39	Grating	Back of water treatment plant	Remove sediment and gravel accumulation.	WT	Monthly	
40	Grating	At sample point 002	Remove sediment and gravel accumulation.	CCP/ENV	Monthly	
41	Grating	Next to Fly/Bed Ash silos	Remove sediment and gravel accumulation.	CCP	Weekly	

CCP - COAL COMBUSTION PRODUCT
MH - MATERIAL HANDLING
WT - WATER TREATMENT
OPER - OPERATION
MAINT - MAINTENANCE
ENV - ENVIRONMENTAL COORDINATOR
ENG - ENGINEERING


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Worksheet No. 1: Pollution Prevention Team Members

AES Puerto Rico, LP
Storm Water Pollution Prevention Plan

POLLUTION PREVENTION TEAM MEMBERS	Worksheet No.1 Date: January 2015

Leader: Héctor M. Ávila Title: Environmental Coordinator

Office Phone: 787-866-8117 ext. 2266

Responsibilities: Storm Water Pollution Prevention and Spill Prevention Control and Countermeasures Plan Administrator. Responsible for all environmental aspects of this plan. Coordinate the development and implementation of this plan. Arrange plant wide training related to this plan, keep necessary records and reports. Ensure the facilities Structural and Non – Structural Best Management Practices (BMP's) are implemented.

Members:

(1) Csaba Kiss Title: Engineering Manager

Office Phone: 787-866-8117 ext. 2216

Responsibilities: Assist with the development and implementation of this plan.

(2) Elias Sostre Title: Operations Manager

Office Phone: 787-866-8117 ext. 2257

Responsibilities: Ensure the facilities operations "Best Management Practices" are followed.

(3) WeiLi Yu Title: Material Handling and E&I Manager

Office Phone: 787-866-8117 ext. 2240

Responsibilities: Ensure the facilities "Best Management Practices" related to the receiving, storage and processing of coal, limestone and ash are followed.

Other Team members:

1. Henrick Roman
2. Anibal Lopez
3. Jose J. Rodriguez
4. Marcos Aresti

The Team will be responsible for the development and implementation of this Plan. Other key responsibilities are:

1. Implementing all MSGP and SWPPP requirements.
2. Defining and agreeing upon an appropriate set of goals for the facility's storm water management program.
3. Periodically update the SWPPP, whenever there is a change in the process design, construction, operation or maintenance of equipment and physical plant, which may have an effect on the potential for the discharge of pollutants to the environment.

Worksheet No. 2: List of Significant Spills and Leaks

AES Puerto Rico, LP
Storm Water Pollution Prevention Plan

LIST OF SIGNIFICANT SPILLS AND LEAKS

Worksheet No.2

Completed by: _____ **Title:** _____ **Date:** _____

No significant spills and/or leaks of toxic or hazardous pollutants have occurred at the facility in the three years prior to the effective date of the permit.

Definition: Significant spills include, but are not limited to, releases of oil or hazardous substances in excess of reportable quantities.

1st Year Prior										
Date (month/day/year)	Spill	Leak	Location (as indicated on site map)	Description				Response Procedure		Preventive Measures Taken or contemplated
				Type of Material	Quantity	Source, If Known	Reason	Amount of Material Recovered	Material No Longer Exposed to Storm water (True/False)	

2nd Year Prior										
Date (month/day/year)	Spill	Leak	Location (as indicated on site map)	Description				Response Procedure		Preventive Measures Taken or contemplated
				Type of Material	Quantity	Source, If Known	Reason	Amount of Material Recovered	Material No. Longer Exposed to Storm water (True/False)	
				None						

3rd Year Prior										
Date (month/day/year)	Spill	Leak	Location (as indicated on site map)	Description						Preventive Measures Taken or contemplated
				Type of Material	Quantity	Source, If Known	Reason	Amount of Material Recovered	Material No. Longer Exposed to Storm water (True/False)	
				None						

Worksheet No. 3: Non-Storm Water Discharge Assessment and Certification

NON-STORM WATER DISCHARGE ASSESSMENT AND CERTIFICATION FORM
AES PUERTO RICO

Worksheet No. 3

NON-STORM WATER DISCHARGE ASSESSMENT AND CERTIFICATION **(Complete once per year)**			Completed by: Hector M. Avila Caballero Title: Environmental Coordinator Date: January 15, 2015		
Date of Test or Evaluation	Outfall Directly Observed During the Test (identify as indicated on the site map)	Method Used to Test of Evaluate Discharge	Describe Results from Test for the Presence of Non-Storm Water Discharge	Identify Potential Significant Sources	Name of Person Who Conducted the Test or Evaluation
12/16/14	001	Visual	No Water Discharge	Marine Dock Area	Hector M. Avila
12/16/14	002	Visual	No Water Discharge	Traffic of Material	Hector M. Avila
12/16/14	003	Visual	No Water Discharge	Heavy Equipment Traffic	Hector M. Avila

CERTIFICATION

I, Hector M. Avila Caballero, certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

A. Name & Official Title (type of print) Hector M. Avila	B. Area Code and Telephone No. 787-866-8117
C. Signature	D. Date Signed January 15, 2015

Worksheet No. 4: Pollutants Source Identification

AES Puerto Rico, LP
Storm Water Pollution Prevention Plan

POLLUTANTS SOURCE IDENTIFICATION

Worksheet No.4

Date: January 2015

This list identifies all storm water pollutant sources exposed to rainfall and/or runoff and describes existing management practices that address those sources. The third column, lists BMP options that can be incorporated into the Plan to address remaining sources of pollutants.

Storm water Pollutant Sources	Existing Management Practices	Description of New BMP Options
Coal/ limestone/ash/ manufactured aggregate stockpiling and transfer	Wheel washers for trucks, water spray at truck loading for dry ash. Sweeping, water truck. Sprinkle for Agremax pile, dome for limestone storage, covered conveyor for coal transfer, gabions wall for agremax pile, coal pile runoff pond for agremax and coal runoff, sediment trap for agremax and coal conveyance system.	
Fuel and oil loading/unloading/ storage and transfer	Secondary containment for truck unloading and for fuel oil storage tank.	
Chemicals loading/unloading/storage and transfer	Secondary containment for all chemical unloading areas. Secondary containment for all chemical containers and bulk storage.	
Heavy equipment maintenance area	Oil separator	
Portable toilets	Anchors	
Herbicide application	Use as required by law and by certified person.	
Scrap yard and solid waste storage	Roll over tarps for bulk waste storage, covers for all waste containers, tarp to cover scrap materials.	
Cooling tower	Secondary containment for cooling tower, proper chemical application to avoid foaming.	
Limestone silo	Secondary containment.	
ESP and CDS Area	Secondary containment.	
Oil Storage	Secondary containment	
Water Treatment Area	Secondary containment	

AES Puerto Rico, LP
Storm Water Pollution Prevention Plan

POLLUTANTS SOURCE IDENTIFICATION	Worksheet No.4 Date: January 2015

This list identifies all storm water pollutant sources exposed to rainfall and/or runoff and describes existing management practices that address those sources. The third column, lists BMP options that can be incorporated into the Plan to address remaining sources of pollutants.

Storm water Pollutant Sources	Existing Management Practices	Description of New BMP Options
Non-storm water stream. Condensate from steam line.	Visual inspection and cap all drains.	
Settleable solids in concrete channel.	Sweep street and water truck wash. Stabilization for all slopes.	
Off-site tracking of sediments.	Wheel washer and truck cleaning before leaving the plant.	
Debris from landscape maintenance.	Maintenance and inspection protocol for contractors or facility personnel must adhere during landscape maintenance.	
Significant spills	SPCC Plan	
Wind-blown dust	Sprinkles, water truck, speed limits, aggregate cover for roads.	

Worksheet No. 5: Storm Water Quarterly Routine Facility Inspection

Storm Water Industrial Routine Facility Inspection Report — Worksheet No. 5

General Information			
Facility Name	AES PR		
NPDES Tracking No.			
Date of Inspection		**Start/End Time**	
Inspector's Name(s)			
Inspector's Title(s)			
Inspector's Contact Information			
Inspector's Qualifications			

Weather Information

Weather at time of this inspection?
❑ Clear ❑Cloudy ❑ Rain ❑ Sleet ❑ Fog ❑ Snow ❑ High Winds
❑ Other: Temperature:

Have any previously unidentified discharges of pollutants occurred since the last inspection? ❑Yes ❑No
If yes, describe:

Are there any discharges occurring at the time of inspection? ❑Yes ❑No
If yes, describe:

Control Measures

- *Number the structural stormwater control measures identified in your SWPPP on your site map and list them below (add as many control measures as are implemented on-site). Carry a copy of the numbered site map with you during your inspections. This list will ensure that you are inspecting all required control measures at your facility.*
- *Describe corrective actions initiated, date completed, and note the person that completed the work in the Corrective Action Log.*

	Structural Control Measure	**Control Measure is Operating Effectively?**	**If No, In Need of Maintenance, Repair, or Replacement?**	**Corrective Action Needed and Notes** (identify needed maintenance and repairs, or any failed control measures that need replacement)
1	Water Treatment Berm	❑Yes ❑No	❑ Maintenance ❑ Repair ❑ Replacement	
2	Coal Pile Run-off Sediment trap	❑Yes ❑No	❑ Maintenance ❑ Repair ❑ Replacement	
3	Limestone Dome	❑Yes ❑No	❑ Maintenance ❑ Repair ❑ Replacement	
4	Agremax Pile Gabion Wall	❑Yes ❑No	❑ Maintenance ❑ Repair ❑ Replacement	
5	Oil Separator Heavy Equipment Shop	❑Yes ❑No	❑ Maintenance ❑ Repair ❑ Replacement	
6	Fuel Oil Secondary Containment	❑Yes ❑No	❑ Maintenance ❑ Repair ❑ Replacement	
7	Oil Drum Storage Shed	❑Yes ❑No	❑ Maintenance ❑ Repair ❑ Replacement	
8	Soda Ash Secondary Containment	❑Yes ❑No	❑ Maintenance ❑ Repair ❑ Replacement	
9	Acid/Caustic Secondary Containment	❑Yes ❑No	❑ Maintenance ❑ Repair ❑ Replacement	

	Structural Control Measure	**Control Measure is Operating Effectively?**	**If No, In Need of Maintenance, Repair, or Replacement?**	**Corrective Action Needed and Notes** (identify needed maintenance and repairs, or any failed control measures that need replacement)
10	Marine Dock Wash Holding Tank	❑Yes ❑No	❑ Maintenance ❑ Repair ❑ Replacement	
11	Wheel Washer	❑Yes ❑No	❑ Maintenance ❑ Repair ❑ Replacement	
12	Roll up cover for waste dumpsters	❑Yes ❑No	❑ Maintenance ❑ Repair ❑ Replacement	
13	Reinforced silt fence	❑Yes ❑No	❑ Maintenance ❑ Repair ❑ Replacement	
14	Catch basin inlet protection	❑Yes ❑No	❑ Maintenance ❑ Repair ❑ Replacement	
15	Cooling tower containment structure	❑Yes ❑No	❑ Maintenance ❑ Repair ❑ Replacement	
16	Unpaved road stabilization	❑Yes ❑No	❑ Maintenance ❑ Repair ❑ Replacement	
17	CDS/ESP containment area	❑Yes ❑No	❑ Maintenance ❑ Repair ❑ Replacement	
18	Dust suppression system for Agremax	❑Yes ❑No	❑ Maintenance ❑ Repair ❑ Replacement	
19	Dust suppression system for truck unloading area	❑Yes ❑No	❑ Maintenance ❑ Repair ❑ Replacement	
20	Limestone silo secondary containment	❑Yes ❑No	❑ Maintenance ❑ Repair ❑ Replacement	
21	Coal transfer dust suppression system	❑Yes ❑No	❑ Maintenance ❑ Repair ❑ Replacement	
22	Coal conveyor cover	❑Yes ❑No	❑ Maintenance ❑ Repair ❑ Replacement	
23	Water Truck	❑Yes ❑No	❑ Maintenance ❑ Repair ❑ Replacement	
24	Mechanical sweeper	❑Yes ❑No	❑ Maintenance ❑ Repair ❑ Replacement	
25		❑Yes ❑No	❑ Maintenance ❑ Repair ❑ Replacement	
26		❑Yes ❑No	❑ Maintenance ❑ Repair ❑ Replacement	
27		❑Yes ❑No	❑ Maintenance ❑ Repair ❑ Replacement	

Areas of Industrial Materials or Activities exposed to stormwater

Below are some general areas that should be assessed during routine inspections. Customize this list as needed for the specific types of industrial materials or activities at your facility.

	Area/Activity	Inspected?	Controls Adequate (appropriate, effective, and operating)?	Corrective Action Needed and Notes
1	**Material loading/unloading and storage areas (Agremax, Limestone, Coal Storages)**	❑Yes ❑No ❑ N/A	❑Yes ❑No	
2	**Heavy Equipment operations and maintenance areas**	❑Yes ❑No ❑ N/A	❑Yes ❑No	
3	**Fueling areas (Heavy Equipment Fueling and Storage Tank Unloading)**	❑Yes ❑No ❑ N/A	❑Yes ❑No	
4	**Outdoor vehicle and equipment washing areas**	❑Yes ❑No ❑ N/A	❑Yes ❑No	
5	**Waste handling and disposal areas**	❑Yes ❑No ❑ N/A	❑Yes ❑No	
6	**Erodible (Coal Pile, Agremax Pile)**	❑Yes ❑No ❑ N/A	❑Yes ❑No	
7	**Non-stormwater/ illicit connections**	❑Yes ❑No ❑ N/A	❑Yes ❑No	
8	**Dust generation and vehicle tracking**	❑Yes ❑No ❑ N/A	❑Yes ❑No	
9	**Water Treatment Area**	❑Yes ❑No ❑ N/A	❑Yes ❑No	
10	**Power Block Area**	❑Yes ❑No ❑ N/A	❑Yes ❑No	
11	**Administration Building Area**	❑Yes ❑No ❑ N/A	❑Yes ❑No	
12	**2 Million and 18 Million Pond Area**	❑Yes ❑No ❑ N/A	❑Yes ❑No	
13	**Marine Dock Area**	❑Yes ❑No ❑ N/A	❑Yes ❑No	
14	**Stormwater Sample Point 002**	❑Yes ❑No ❑ N/A	❑Yes ❑No	
15	**Stormwater Sample Point 003A**	❑Yes ❑No ❑ N/A	❑Yes ❑No	
16	**Stormwater Sample Point 004**	❑Yes ❑No ❑ N/A	❑Yes ❑No	
17	**Run-on storm water**	❑Yes ❑No ❑ N/A	❑Yes ❑No	

	Area/Activity	Inspected?	Controls Adequate (appropriate, effective, and operating)?	Corrective Action Needed and Notes
	conveyance system			
18	**Run-off Storm Water conveyance system**	❑Yes ❑No ❑ N/A	❑Yes ❑No	
19	**Process water conveyance system**	❑Yes ❑No ❑ N/A	❑Yes ❑No	

Non-Compliance

Describe any incidents of non-compliance observed and not described above:

Additional Control Measures

Describe any additional control measures needed to comply with the permit requirements:

.

Notes

Use this space for any additional notes or observations from the inspection:

CERTIFICATION STATEMENT

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Print name and title: _____

Signature:_____ **Date:**_____

Worksheet No. 6: Storm Water Quarterly Visual Assessments

MSGP Quarterly Visual Assessment Form

Worksheet No. 6

(Complete a separate form for each outfall you assess)

Name of Facility: AES PR NPDES Tracking No.

Outfall Name: "Substantially Identical Outfall"? ☐ No ☐ Yes

Person(s)/Title(s) collecting sample:

Person(s)/Title(s) examining sample:

Date & Time Discharge Began: Date & Time Sample Collected: Date & Time Sample Examined:
Note: Samples must be examined within an hour.

Substitute Sample? ☐ No ☐ Yes (identify quarter/year when sample was originally scheduled to be collected):

Nature of Discharge: ☐ Rainfall ☐ Snowmelt

If rainfall: Rainfall Amount: inches Previous Storm Ended > 72 hours Before Start of This Storm? ☐ Yes ☐ No* (explain):

Parameter

Color ☐ None ☐ Other (describe):

Odor ☐ None ☐ Musty ☐ Sewage ☐ Sulfur ☐ Sour ☐ Petroleum/Gas _____
☐ Solvents ☐ Other (describe):

Clarity ☐ Clear ☐ Slightly Cloudy ☐ Cloudy ☐ Opaque ☐ Other

Floating Solids ☐ No ☐ Yes (describe):

Settled Solids** ☐ No ☐ Yes (describe):

Suspended Solids ☐ No ☐ Yes (describe):

Foam (gently shake sample) ☐ No ☐ Yes (describe):

Oil Sheen ☐ None ☐ Flecks ☐ Globs ☐ Sheen ☐ Slick
☐ Other (describe):

Other Obvious Indicators of Stormwater Pollution ☐ No ☐ Yes (describe):

* The 72-hour interval can be waived when the previous storm did not yield a measurable discharge or if you are able to document (attach applicable documentation) that less than a 72-hour interval is representative of local storm events during the sampling period.

** Observe for settled solids after allowing the sample to sit for approximately one-half hour.

Detail any concerns, additional comments, descriptions of pictures taken, and any corrective actions taken below (attach additional sheets as necessary). Insert details

Certification by Facility Responsible Official (Refer to MSGP Subpart 11 Appendix B for Signatory Requirements)

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

A. Name: B. Title:

C. Signature: D. Date Signed:

Worksheet No. 7: Annual Comprehensive Site Inspections

NPDES Permit Tracking No.:

EPA

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

Annual Reporting Form

A. GENERAL INFORMATION

1. Facility Name:

2. NPDES Permit Tracking No.:

3. Facility Physical Address:

a. Street:

b. City: c. State: d. Zip Code: -

4. Lead Inspectors Name: Title:

Additional Inspectors Name(s):

5. Contact Person: Title:

Phone: - - Ext. E-mail:

6. Inspection Date: / /

B. GENERAL INSPECTION FINDINGS

1. As part of this comprehensive site inspection, did you inspect all potential pollutant sources, including areas where industrial activity may be exposed to stormwater?
☐ YES ☐ NO

If NO, describe why not:

NOTE: *Complete Section C of this form for each industrial activity area inspected and included in your SWPPP or as newly identified in B.2 or B.3 below where pollutants may be exposed to stormwater.*

2. Did this inspection identify any stormwater or non-stormwater outfalls not previously identified in your SWPPP? ☐ YES ☐ NO

If YES, for each location, describe the sources of those stormwater and non-stormwater discharges and any associated control measures in place:

NPDES Permit Tracking No.:

3. Did this inspection identify any sources of stormwater or non-stormwater discharges not previously identified in your SWPPP? ☐ YES ☐ NO

If YES, describe these sources of stormwater or non-stormwater pollutants expected to be present in these discharges, and any control measures in place:

4. Did you review stormwater monitoring data as part of this inspection to identify potential pollutant hot spots? ☐ YES ☐ NO ☐ NA, no monitoring performed

If YES, summarize the findings of that review and describe any additional inspection activities resulting from this review:

5. Describe any evidence of pollutants entering the drainage system or discharging to surface waters, and the condition of and around outfalls, including flow dissipation measures to prevent scouring:

6. Have you taken or do you plan to take any corrective actions, as specified in Part 3 of the permit, since your last annual report submission (or since you received authorization to discharge under this permit if this is your first annual report), including any corrective actions identified as a result of this annual comprehensive site inspection?

☐ YES ☐ NO

If YES, how many conditions requiring review for correction action as specified in Parts 3.1 and 3.2 were addressed by these corrective actions? ☐☐

NOTE: *Complete the attached Corrective Action Form (Section D) for each condition identified, including any conditions identified as a result of this comprehensive stormwater inspection.*

NPDES Permit Tracking No.:

C. INDUSTRIAL ACTIVITY AREA SPECIFIC FINDINGS

Complete one block for each industrial activity area where pollutants may be exposed to stormwater. Copy this page for additional industrial activity areas.

In reviewing each area, you should consider:

- Industrial materials, residue, or trash that may have or could come into contact with stormwater;
- Leaks or spills from industrial equipment, drums, tanks, and other containers;
- Offsite tracking of industrial or waste materials from areas of no exposure to exposed areas; and
- Tracking or blowing of raw, final, or waste materials from areas of no exposure to exposed areas.

INDUSTRIAL ACTIVITY AREA _____:

1. Brief Description:

2. Are any control measures in need of maintenance or repair? ☐ YES ☐ NO

3. Have any control measures failed and require replacement? ☐ YES ☐ NO

4. Are any additional/revised control measures necessary in this area? ☐ YES ☐ NO

If YES to any of these three questions, provide a description of the problem: (Any necessary corrective actions should be described on the attached Corrective Action Form)

INDUSTRIAL ACTIVITY AREA _____:

1. Brief Description:

2. Are any control measures in need of maintenance or repair? ☐ YES ☐ NO

3. Have any control measures failed and require replacement? ☐ YES ☐ NO

4. Are any additional/revised c necessary in this area? ☐ YES ☐ NO

If YES to any of these three questions, provide a description of the problem: (Any necessary corrective actions should be described on the attached Corrective Action Form)

INDUSTRIAL ACTIVITY AREA _____:

Brief Description:

2. Are any control measures in need of maintenance or repair? ☐ YES ☐ NO

3. Have any control measures failed and require replacement? ☐ YES ☐ NO

4. Are any additional/revised BMPs necessary in this area? ☐ YES ☐ NO

If YES to any of these three questions, provide a description of the problem: (Any necessary corrective actions should be described on the attached Corrective Action Form)

NPDES Permit Tracking No.: | | | | | | | | | |

NOTE: *Copy this page and attach additional pages as necessary*

INDUSTRIAL ACTIVITY AREA ______:

1. Brief Description:

2. Are any control measures in need of maintenance or repair? ☐ YES ☐ NO
3. Have any control measures failed and require replacement? ☐ YES ☐ NO
4. Are any additional/revised BMPs necessary in this area? ☐ YES ☐ NO

If YES to any of these three questions, provide a description of the problem: (Any necessary corrective actions should be described on the attached Corrective Action Form)

INDUSTRIAL ACTIVITY AREA ______:

1. Brief Description:

2. Are any control measures in need of maintenance or repair? ☐ YES ☐ NO
3. Have any control measures failed and require replacement? ☐ YES ☐ NO
4. Are any additional/revised BMPs necessary in this area? ☐ YES ☐ NO

If YES to any of these three questions, provide a description of the problem: (Any necessary corrective actions should be described on the attached Corrective Action Form)

INDUSTRIAL ACTIVITY AREA ______:

1. Brief Description:

2. Are any control measures in need of maintenance or repair? ☐ YES ☐ NO
3. Have any control measures failed and require replacement? ☐ YES ☐ NO
4. Are any additional/revised BMPs necessary in this area? ☐ YES ☐ NO

If YES to any of these three questions, provide a description of the problem: (Any necessary corrective actions should be described on the attached Corrective Action Form)

NPDES Permit Tracking No.:

D. CORRECTIVE ACTIONS

Complete this page for each specific condition requiring a corrective action or a review determining that no corrective action is needed. Copy this page for additional corrective actions or reviews.

Include both corrective actions that have been initiated or completed since the last annual report, and future corrective actions needed to address problems identified in this comprehensive stormwater inspection. Include an update on any outstanding corrective actions that had not been completed at the time of your previous annual report.

1. Corrective Action # ☐☐ of ☐☐ for this reporting period.

2. Is this corrective action:

- ☐ An update on a corrective action from a previous annual report; or
- ☐ A new corrective action?

3. Identify the condition(s) triggering the need for this review:

- ☐ Unauthorized release or discharge
- ☐ Numeric effluent limitation exceedance
- ☐ Control measures inadequate to meet applicable water quality standards
- ☐ Control measures inadequate to meet non-numeric effluent limitations
- ☐ Control measures not properly operated or maintained
- ☐ Change in facility operations necessitated change in control measures
- ☐ Average benchmark value exceedance
- ☐ Other (describe): _____

4. Briefly describe the nature of the problem identified:

5. Date problem identified: ☐☐/☐☐/☐☐☐☐

6. How problem was identified:

- ☐ Comprehensive site inspection
- ☐ Quarterly visual assessment
- ☐ Routine facility inspection
- ☐ Benchmark monitoring
- ☐ Notification by EPA or State or local authorities
- ☐ Other (describe): _____

7. Description of corrective action(s) taken or to be taken to eliminate or further investigate the problem (e.g., describe modifications or repairs to control measures, analyses to be conducted, etc.) or if no modifications are needed, basis for that determination:

8. Did/will this corrective action require modification of your SWPPP? ☐ YES ☐ NO

9. Date corrective action initiated: ☐☐/☐☐/☐☐☐☐

10. Date correction action completed: ☐☐/☐☐/☐☐☐☐ or expected to be completed: ☐☐/☐☐/☐☐☐☐

11. If corrective action not yet completed, provide the status of corrective action at the time of the comprehensive site inspection and describe any remaining steps (including timeframes associated with each step) necessary to complete corrective action:

NPDES Permit Tracking No.:

E. ANNUAL REPORT CERTIFICATION

1. Compliance Certification

Do you certify that your annual inspection has met the requirements of Part 4.2 of the permit, and that, based upon the results of this inspection, to the best of your knowledge, you are in compliance with the permit? ☐ YES ☐ NO

If NO, summarize why you are not in compliance with the permit:

2. Annual Report Certification

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Authorized Representative Printed Name: Title:

Signature: Date Signed:

Attachment No. 1: Notice of Intent

NPDES FORM 3510 -6

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

NOTICE OF INTENT (NOI) FOR STORMWATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY UNDER THE NPDES MULTI-SECTOR GENERAL PERMIT

Form Approved.
OMB No. 2040-0086

Submission of this completed Notice of Intent (NOI) constitutes notice that the operator identified in Section B of this form requests authorization to discharge pollutants to waters of the United States from the facility or site identified in Section C under EPA's NPDES Stormwater Multi-Sector General Permit (MSGP) for industrial stormwater. Submission of this NOI constitutes your notice to EPA that the facility identified in Section C of this form meets the eligibility conditions of Part 1.1 of the MSGP. Please read and make sure you comply with all eligibility requirements, including the requirement to prepare a stormwater pollution prevention plan. Refer to the instructions at the end of this form to complete your NOI.

A. Permit Number: PRR050000 (see Appendix C of the MSGP for the list of eligible permit numbers)

Tracking Number (EPA Use Only): PRR05BL65

B. Facility Operator Information

1. Name: AES-PUERTO RICO

2. IRS Employer Identification Number (EIN): 66 - 0547978

3. Mailing Address:

a. Street: PO BOX 1890

b. City: GUAYAMA c. State: PR d. Zip Code: 00785-

e. Phone: 787-866-8117 f. Fax (optional): 787-866-8139 g. E-mail: RAMIRO.RIVERA@AES.COM

C. Facility Information

1. Facility Name: AES PUERTO RICO, LP

2. Have stormwater discharges from your site been covered previously under an NPDES permit? ☑ YES ☐ NO

a. If yes, provide the Tracking Number if you had coverage under EPA's MSGP 2000 or the NPDES permit number if you had coverage under an EPA individual permit. PRR05B149

b.1 If no, was your facility in operation and discharging stormwater prior to October 30, 2005? ☐ YES ☐ NO

b.2 If no to C.2.b.1, did your facility commence discharging after October 30, 2005 and before January 5, 2009? ☐ YES ☐ NO

3. Location Address:

a. Street ROAD #3 KM 142 JOBOS WARD

b. City: GUAYAMA

c. County or similar government subdivision: GUAYAMA d. State: PR e. Zip Code: 00784-

f. Latitude: (use any one of the three formats provided.)
1. 17° 56' 50" N (degrees, minutes, seconds)
2. ___° ___.___' N (degrees, minutes, decimal)
3. ___.___° N (degrees decimal)

g. Longitude: (use any of these 3 formats)
1. 066° 09' 00" W (degrees, minutes, seconds)
2. ___° ___.___' W (degrees, minutes, decimal)
3. ___.___° W (degrees decimal)

h. Lat/Long Data Source: ☐ USGS topographic map ☐ EPA web site ☑ GPS ☐ Other: _____

If you used a USGS topographic map, what was the scale? _____

4. Estimated area of industrial activity at your site exposed to stormwater: 78 (acres)

5. Is this a federal facility? ☐ YES ☑ NO

6. Is your facility located on Indian Country lands? ☐ YES ☑ NO

If yes, name of reservation, or if not part of a reservation, put "Not Applicable:" _____

D. Discharge information

1. Does your facility discharge stormwater into a Municipal Separate Storm Sewer System (MS4)? ☐ YES ☑ NO

If yes, name of MS4 operator: _____

2. Receiving Waters and Wetlands (**Note**: If additional space is needed for this question, fill out Attachment 1.)

a. What is the name(s) of your receiving water(s) that receive stormwater directly and/or through an MS4)? If your receiving water is impaired then identify the name of the impaired segment, if applicable, in parentheses following the receiving water name.	b. Are any of your discharges directly into any segment of an "impaired" water?	If you answered yes to question D.2.b, then answer the following three questions:		
		b.1. What pollutant(s) are causing the impairment?	b.2. Are the pollutant(s) causing the impairment present in your discharge?	b.3. Has a TMDL been completed for the pollutant(s) causing the impairment?
Las Mareas Harbor	☑ YES ☐ NO	PH	☐ YES ☑ NO	☐ YES ☑ NO
Las Mareas Harbor	☑ YES ☐ NO	Dissolved Oxygen	☐ YES ☑ NO	☐ YES ☑ NO
Las Mareas Harbor	☑ YES ☐ NO	Turbidity	☑ YES ☐ NO	☐ YES ☑ NO
Las Mareas Harbor	☑ YES ☐ NO	Enterococcus	☐ YES ☑ NO	☐ YES ☑ NO
	☐ YES ☐ NO		☐ YES ☐ NO	☐ YES ☐ NO
	☐ YES ☐ NO		☐ YES ☐ NO	☐ YES ☐ NO
	☐ YES ☐ NO		☐ YES ☐ NO	☐ YES ☐ NO
	☐ YES ☐ NO		☐ YES ☐ NO	☐ YES ☐ NO
	☐ YES ☐ NO		☐ YES ☐ NO	☐ YES ☐ NO
	☐ YES ☐ NO		☐ YES ☐ NO	☐ YES ☐ NO

3. Water Quality Standards (for new dischargers only)

a. Are any of your discharges into any portion of a receiving water designated by the state or tribal authority under its antidegradation policy as a Tier 2 (or Tier 2.5) water (water quality exceeds levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water)? ☐ YES ☐ NO

b. Has the receiving water(s) been designated by the state or tribal authority under its antidegradation policy as a Tier 3 water (Outstanding Natural Resource Water)? ☐ YES ☐ NO

4. Federal Effluent Limitation Guidelines and Sector-Specific Requirements

a. Are you requesting permit coverage for any stormwater discharges subject to effluent limitation guidelines? ☐ YES ☑ NO

b. If yes, which effluent limitation guidelines apply to your stormwater discharges?

40 CFR Part/Subpart	Eligible Discharges	Affected MSGP Sector	Check if Applicable
Part 411, Subpart C	Runoff from material storage piles at cement manufacturing facilities	E	☐
Part 418 Subpart A	Runoff from phosphate fertilizer manufacturing facilities that comes into contact with any raw materials, finished product, by-products or waste products (SIC 2874)	C	☐
Part 423	Coal pile runoff at steam electric generating facilities	O	☐
Part 429, Subpart I	Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas	A	☐
Part 436, Subpart B, C, or D	Mine dewatering discharges at crushed stone mines, construction sand and gravel mines, or industrial sand mines	J	☐
Part 443, Subpart A	Runoff from asphalt emulsion facilities	D	☐
Part 445, Subparts A & B	Runoff from hazardous waste and non-hazardous waste landfills	K, L	☐

c. If you are a Sector S (Air Transportation) facility, do you anticipate using more than 100,000 gallons of glycol-based deicing/anti-icing chemicals and/or 100 tons or more of urea on an average annual basis? ☐ YES ☑ NO

5. Identify the 4-digit Standard Industrial Classification (SIC) code or 2-letter Activity Code that best represents the products produced or services rendered for which your facility is primarily engaged, as defined in MSGP:

Primary SIC Code: 4911 OR Primary Activity Code ☐☐

6. Identify the applicable sector(s) and subsector(s) of industrial activity, including co-located industrial activity, for which you are requesting permit coverage:

a. Sector O Subsector 1 b. Sector Q Subsector 1 c. Sector ☐☐ Subsector ☐

d. Sector ☐☐ Subsector ☐ e. Sector ☐☐ Subsector ☐ f. Sector ☐☐ Subsector ☐

7.a. Is your site presently inactive and unstaffed? ☐ YES ☑ NO

b1. If yes, is your site expected to be inactive and unstaffed for the entire permit term? ☐ YES ☐ NO

b2. If you select "no" in 7.b1 above, then indicate the length of time that you expect your facility to be inactive and unstaffed _____

E. Stormwater Pollution Prevention Plan (SWPPP) Contact Information

1a. SWPPP Contact Name: Hector Avila

b. Phone: ___ - ___ - ____ Ext. ___ c. E-mail: hector.avila@aes.com

2. URL of SWPPP (if applicable): _____

F. Endangered Species Protection

1. Using the instructions in Appendix E of the MSGP, under which criterion listed in Part 1.1.4.5 are you eligible for coverage under this permit?

☐ A ☐ B ☐ C ☐ D ☑ E ☐ F

2. If you select criterion E from Part 1.1.4.5:

a. What federally-listed species or federally-designated critical habitat are in your "action area?" Trichechus manatus (West Indian manatee); Sterna antillarum (Least tern); Anas bahamesis (pato gargantilla); White-cheeked pintail; Agelaius xanthomus (mariquita, yellow-shouldered b; Pelacanus occidentalis (Brown pelican)

b. List the pollutants expected to be present in your discharge _____

c. If you are an existing discharger, do you have effluent monitoring data from EPA's MSGP 2000, or another previous NPDES permit? ☑ YES ☐ NO

c.1 If no, why not? ☐ No monitoring required for my sector ☐ Inactive/unstaffed site ☐ Other _____

c.2 Do you have any other data characterizing pollutants in your stormwater (describe)? _____

c.3 If you have benchmark monitoring data, did you exceed any of the applicable benchmarks? ☐ YES ☑ NO

c.4 Did you exceed any applicable effluent limitation guideline or cause or contribute to an exceedance of a State or Tribal water quality standard? ☐ YES ☑ NO

c.5 If you answered "yes" to either question F.2.c.3 or F.2.c.4 above, for what pollutant(s)? _____

d. Attach documentation supporting criterion E eligibility. Documentation should address species and habitat listed in F.2.a and the potential effects of pollutants listed in F.2.b (including any monitoring data for these pollutants) on the listed species and habitat.

3. If you select criterion F from Part 1.1.4.5, provide the operator's NPDES Tracking Number under which you are certifying eligibility: _____

G. Historic Preservation

Using the instructions in Appendix F of the MSGP, under which criterion listed in Part 1.1.4.6 are you eligible for coverage under this permit?

☑ A ☐ B ☐ C ☐ D

H. Certifier Name and Title

I certify under penalty of law that I meet the eligibility conditions of this permit and that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, I certify that the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I certify that I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

Print Name: RON RODRIQUE

Title: _____

Signature: RON RODRIQUE Date: 08/29/13

E-mail: RON.RODRIQUE@AES.COM

NOI Preparer (Complete if NOI was prepared by someone other than the certifier)

Prepared by: _____

Organization: _____

Phone: ___ - ___ - ____ Ext. ___ E-mail: _____

Attachment 1. (Fill in as necessary if more space is required for D.2 a-e)

a. What is the name(s) of your receiving water(s) that receive stormwater from your facility (directly and/or through an MS4)? If your receiving water is impaired then identify the name of the impaired segment, if applicable, in parentheses following the receiving water name.	b. Are any of your discharges directly into any segment of an "impaired" water?	If you answered yes to question D.2.b, then answer the following three questions:		
		b.1. What pollutant(s) are causing the impairment?	b.2. Are the pollutant(s) causing the impairment present in your discharge?	b.3. Has a TMDL been completed for the pollutant(s) causing the impairment?
	☐ YES ☐ NO		☐ YES ☐ NO	☐ YES ☐ NO
	☐ YES ☐ NO		☐ YES ☐ NO	☐ YES ☐ NO
	☐ YES ☐ NO		☐ YES ☐ NO	☐ YES ☐ NO
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	☐ YES ☐ NO		☐ YES ☐ NO	☐ YES ☐ NO
	☐ YES ☐ NO		☐ YES ☐ NO	☐ YES ☐ NO

NOI Submittal Deadlines/Discharge Authorization Dates		
Category	**NOI Deadline**	**Discharge Authorization Date[1]**
Existing Dischargers - in operation as of October 30, 2005 and authorized for coverage under MSGP 2000.	No later than January 5, 2009.	30 days after EPA posts your NOI. Your authorization under the MSGP 2000 is automatically continued until you have been granted coverage under this permit or an alternative permit, or coverage is otherwise terminated.
New Dischargers or New Sources - have commenced discharging between October 30, 2005 and January 5, 2009.	As soon as possible but no later than January 5, 2009.	30 days after EPA posts your NOI.
New Dischargers or New Sources - commence discharging after January 5, 2009.	A minimum of 60 days prior to commencing operation of the facility, or a minimum of 30 days if your SWPPP is posted on the Internet during this period and the Internet address (i.e., URL) to your SWPPP is provided on the NOI form.	If you post your SWPPP on the Internet, 30 days after EPA posts your NOI. Otherwise, 60 days after EPA posts your NOI.
New Owner/Operator of Existing Discharger - transfer of ownership and/or operation of a facility whose discharge is authorized under this permit	A minimum of 30 days prior to date that the transfer will take place to the new owner/operator.	30 days after EPA posts your NOI.
Other Eligible Dischargers - in operation prior to October 30, 2005 but not covered under the MSGP 2000 or another NPDES permit.	Immediately, to minimize the time discharges from the facility will continue to be unauthorized.	If you post your SWPPP on the Internet, 30 days after EPA posts your NOI. Otherwise, 60 days after EPA posts your NOI.

[1] Based on a review of your NOI or other information, EPA may delay your authorization for further review, notify you that additional effluent limitations are necessary, or may deny coverage under this permit and require submission of an application for an individual NPDES permit, as detailed in MSGP Part 1.6. In these instances, EPA will notify you in writing of the delay or the request for submission of an individual NPDES permit application. EPA will post these NOIs on its website at www.epa.gov/npdes/enoi.

Who Must File a Notice of Intent with EPA?

Under section 402(p) of the Clean Water Act (CWA) and regulations at 40 CFR Part 122, stormwater discharges associated with industrial activity are prohibited to waters of the United States unless authorized under a National Pollutant Discharge Elimination System (NPDES) permit. You can obtain coverage under the MSGP by submitting a completed NOI if you operate a facility:

- that is located in a jurisdiction where EPA is the permitting authority, listed in Appendix C of the MSGP,
- that discharges stormwater associated with industrial activities, identified in Appendix D of the MSGP,
- that meets the eligibility requirements in Part 1.1 of the permit,
- that develops a stormwater pollution prevention plan (SWPPP) in accordance with Part 5 of the MSGP; and
- that installs and implements control measures in accordance with Part 2 to meet numeric and non-numeric effluent limits.

If you are unsure if you need an NPDES stormwater permit, contact your EPA or State NPDES stormwater permit program. Contacts are listed at www.epa.gov/npdes/stormwatercontacts.

One NOI must be submitted for each facility or site for which you are seeking permit coverage. You do not need to submit separate NOIs for each type of industrial activity present at your facility, provided your SWPPP covers all activities.

When to File the NOI Form

Do not file your NOI until you have obtained and thoroughly read a copy of the MSGP. A copy of the MSGP is located on the EPA website (www.epa.gov/npdes/stormwater/msgp). The MSGP describes procedures to ensure your eligibility, prepare your SWPPP, install and implement appropriate stormwater control measures, and complete the NOI form questions – all of which must be done before you sign the NOI certification statement attesting to the accuracy and completeness of your NOI. You will also need a copy of the MSGP once you have obtained coverage so that you can comply with the implementation requirements of the permit.

Where to File the NOI Form

EPA encourages you to complete the NOI form electronically via the Internet. EPA's Electronic Notice of Intent System (eNOI) can be found at www.epa.gov/npdes/enoi. Filing electronically is the fastest way to obtain permit coverage and help ensure that your NOI is complete. If you choose not to file electronically, you must send the NOI to one of the addresses listed below.

NOIs sent regular mail:
Stormwater Notice Processing Center (4203M)
USEPA
1200 Pennsylvania Avenue, NW
Washington, DC 20460

NOIs sent overnight/express mail:
Stormwater Notice Processing Center
EPA East Building, Rm. 7420
1201 Constitution Avenue, NW
Washington, DC 20004
202-564-9545

If you have questions, please contact EPA's Stormwater Notice Processing Center toll free at (866) 352-7755.

- **If you file a paper NOI, please submit the original with a signature in ink – Do Not Send Copies. Also, faxed copies will not be accepted.**
- **Your SWPPP does not need to be submitted for review unless specifically requested by EPA or as otherwise required in Part 9 of the MSGP (State, Territory, and Tribal requirements). You must keep a copy of your SWPPP on-site or otherwise make it available to facility personnel responsible for implementing provisions of the permit.**

Completing the NOI Form

To complete this form, type or print in uppercase letters in the appropriate areas only. Please make sure you complete all questions. Make sure you make a photocopy for your records before you send the completed original form to the address above. You may also use this paper form as a checklist for the information you will need when filing an NOI electronically via EPA's eNOI system.

Section A. Permit Number

Appendix C of the MSGP 2008 contains a list of geographic areas covered by the permit. If your facility is located in one of the listed areas, include the appropriate permit number in this section. (For example, if you facility is located in Massachusetts, and not on Indian Lands, you would write MAR050000 in this space.) If your facility is located in an area not covered by the MSGP, please contact your EPA Region, state or territorial NPDES stormwater coordinator (see www.epa.gov/npdes/stormwatercontacts for a list of contacts).

Section B. Facility Operator Information

1. Provide the legal name of the person, firm, public organization or any other public entity that operates the facility described in this application. An operator of a facility is a legal entity that controls the operation of the facility.
2. Provide the Employer Identification Number (EIN from the Internal Revenue Service (IRS)), commonly referred to as your taxpayer ID number. If the operator does not have an EIN, enter "NA" in the space provided.
3. Provide the operator's mailing address, telephone number, fax number (optional), and email address. Correspondence will be sent to this address.

Section C. Facility Information

1. Enter the facility's official or legal name. Unless the name of your facility has changed, please use the same name provided on prior NOIs or permit applications. You can use EPA's NOI Search website (www.epa.gov/npdes/noisearch) to view your previous NOI.
2. Indicate if industrial stormwater discharges from your facility were previously covered by an NPDES permit.

2a. If your facility was covered by EPA's MSGP-2000, please include the tracking number that you received in your confirmation letter or email from EPA's Stormwater Notice Processing Center. You can find the tracking number assigned to your previous NOI on EPA's NOI Search website (www.epa.gov/npdes/noisearch).

2b1. If your facility was not previously covered by an NPDES permit and discharged industrial stormwater, then indicate if it was in operation before October 30, 2005 and not covered under the MSGP 2000. If you select "yes" to this question then you have a 30 day waiting period before you are authorized to discharge.

2b2. If you select "no" in C.2.b.1, then indicate if your facility discharged stormwater between October 30, 2005 and January 5, 2009. If you select "yes" to this

question then you have a 30 day waiting period before you are authorized to discharge. If you select "no" to this question and you post your SWPPP on the Internet and provide EPA the URL in E.2, then you have a 30 day waiting period before you are authorized to discharge. If you select "no" to this question, but do not post your SWPPP on the Internet and therefore do not answer E.2, then you have a 60 day waiting period before you are authorized to discharge.

3.a-e. Enter the street address, including city, state, zip code, county or similar government subdivision of the actual physical location of the facility. Do not use a P.O. Box.

3.f-g. Provide the facility latitude and longitude in one of three formats: (1) degrees, minutes, seconds; (2) degrees, minutes, decimal; or(3) degrees decimal. You can obtain your facility's latitude and longitude though Global Positioning System (GPS) receivers, U.S. Geological Survey (USGS) quadrangle or topographic maps, and EPA's web-based siting-tools, among other methods. Refer to www.epa.gov/npdes/stormwater/msgp for guidance on the use of these methods. For consistency, EPA requests you take measurements from the location of your facility's stormwater outfall. Outfalls are locations where the stormwater exits the facility, including pipes, ditches, swales, and other structures that transport stormwater. If there is more than one outfall present, measure at the primary outfall (i.e., the outfall with the largest volume of stormwater discharge associated with industrial activity).

3.h. Identify the data source that you used to determine the facility latitude and longitude. If you did not use a USGS quadrangle or topographic map, the EPA website, or GPS receivers, then select "Other" and write the method used on the line provided. If you used a USGS quadrangle or topographic map, write the map scale on the line provided. Scale should be identified on the map.

4. Enter the estimated area of industrial activity at your site exposed to stormwater, in acres.

5. Indicate if the facility is considered a "federal facility" - Federal facilities include any buildings, installations, structures, land, public works, equipment, aircraft, vessels, and other vehicles and property, owned or leased by the federal government.

6. Indicate whether the facility is located in Indian Country, and, if so, provide the name of the reservation, if applicable.

Section D. Discharge Information

1. Indicate whether stormwater from your site will be discharged into a municipal separate storm sewer system (MS4). An MS4 is a conveyance or system of conveyances, including roads with drainage systems, municipal streets, catch basins, storm drains, curbs and gutters, ditches and man-made channels, owned or operated by a state, city, town, borough, county, parish, district, association or other public body, used to collect or convey stormwater. If you check "Yes" then identify the name of the MS4 operator on the line provided. If you are uncertain of the MS4 operator, contact your local government for that information. MS4s are different than combined sewers, which are designed to convey both stormwater and sanitary wastewater. Discharges to combined sewers do not require an NPDES permit but may be subject to other CWA requirements (contact the combined sewer operator for more information).

2. Enter information regarding your discharge. If additional space is needed fill out Attachment 1.

2a. Indicate in column "a" of the table the name(s) of the receiving water(s) into which stormwater from your facility will discharge. Also provide in parentheses the name of the impaired water (and segment, if applicable) into which your stormwater is discharged. If you identified more than on receiving water for your facility, indicate the first receiving water and complete question 2b and 2.b.1-3 (if applicable), before entering the next receiving water. The EPA's Water Locator Tool can help you identify the closest receiving water to your facility (www.epa.gov/npdes/msgp). Your receiving water may be a lake, stream, river, ocean, wetland or other waterbody, and may or may not be located adjacent to your facility. Your stormwater may discharge directly to the receiving water or indirectly via a storm sewer system, an open drain or ditch, or other conveyance structure. Do NOT list a man-made conveyance, such as a storm sewer system, as your receiving water. Indicate the first receiving water your stormwater discharge enters. For example, if your discharge enters a storm sewer system, that empties into Trout Creek, which flows into Pine River, your receiving water is Trout Creek, because it is the first waterbody your discharge will reach. Similarly, a discharge into a ditch that feeds Spring Creek should be identified as "Spring Creek" since the ditch is a manmade conveyance. If you discharge into a municipal separate storm sewer system (MS4), you must identify the waterbody into which that portion of the storm sewer discharges. That information should be readily available from the operator of the MS4.

2b. Indicate in column "b" of the table whether you discharge directly to an impaired water (lake, stream segment, estuary, etc), listed as "impaired" under section 303(d) of the Clean Water Act. Each state water quality agency maintains a list of waters that are impaired. Most state agencies publish these lists online. The EPA's Water Locator Tool may also help you identify if the nearest receiving water is impaired (www.epa.gov/npdes/msgp). If you discharge into a stream segment that is upstream of a listed impaired water but which is not itself on the State's impaired waters list, answer "no" to this question. In this case, requirements in the MSGP for discharges into impaired waters do not apply to you, unless notified otherwise by EPA.

Answer the following three questions only if you answered "Yes" to D 2.b:

2b1. Provide the pollutant(s) listed as causing the impairment in the water identified in D.2.b.1 above. Enter each pollutant individually on a separate row in the table.

2b2. Out of the pollutant(s) that you identified in D.2.b.1 above, indicate which pollutants you believe will be present in your discharge. If you do not expect the pollutant(s) to be in your discharge, then select "no."

2b3. Indicate the pollutant(s) that have a Total Maximum Daily Load (TMDL) for the impaired stream segment that you identified in D.2.b.2 above. Check with your state water quality agency for lists of waters with approved or established TMDLs. See www.epa.gov/npdes/msgp for more information.

3. Water Quality Standards

3a. If you selected "no" in C.2 indicating that stormwater discharges from your facility have not been previously covered under an NPDES permit, then you are considered a new discharger and must answer this question; otherwise you are considered an existing discharger and may skip this question. State water quality agencies are responsible for setting water quality standards for waters within the state's boundaries. Check EPA's website (www.epa.gov/npdes/msgp) to determine if the water(s) that you discharge into are designated as a "Tier 2 (or Tier 2.5) water" (See Appendix A of the MSGP 2008 for definitions of "Tier 2 water" and "Tier 2.5 water"). If you discharge into these waters, EPA may impose additional permit conditions to ensure that you do not violate the State's antidegradation policy.

3.b Identify whether your receiving water is designated as a Tier 3 waterbody. Go to www.epa.gov/npdes/msgp for a list of Tier 3 waterbodies. Note that new discharges into designated Tier 3 waters are not eligible for coverage under the MSGP 2008.

4. Federal Effluent Limitation Guidelines and Sector-Specific Requirements

4.a-b. Depending on your industrial activities, your facility may be subject to effluent limitation guidelines which include additional effluent limits and monitoring requirements for your facility. Please review these requirements, described in Part 2.1.3 of the MSGP, and check any appropriate boxes on the NOI form.

4.c. For Sector S facilities (Air Transportation), indicate whether you anticipate that the entire airport facility will use more than 100,000 gallons of glycol-based deicing/anti-icing chemicals and/or 100 tons or more of urea on an average annual basis. If so, additional effluent limits and monitoring conditions apply to your discharge (see Part 8 Sector S of the MSGP 2008).

5. List the four-digit Standard Industrial Classification (SIC) code and/or two character activity code that best describes the primary industrial activities performed by your facility under which you are required to obtain permit coverage. Your primary industrial activity includes any activities performed on-site which are (1) identified by the facility's one SIC code for which the facility is primarily engaged; and (2) included in the narrative descriptions of 40 CFR 122.26(b)(14)(i), (iv), (v), or (vii), and (ix). See Appendix D of the MSGP for a complete list of SIC codes and activities codes.

6. If your site has co-located industrial activities that are not identified as your primary industrial activity, identify the sector and subsector codes that describe these other industrial activities. For a complete list of sector and subsector codes, see Appendix D of the MSGP.

7.a-b Indicate whether your facility is currently inactive and unstaffed. If so then indicate whether your facility will be inactive and unstaffed for the entire permit term, or if not, specify the specific length of time in units of days, weeks, months, or years (e.g. 3 months) that you expect the facility to be inactive and unstaffed.

Section E. Facility Contact Information and SWPPP Location

1.a-c. Identify the name, telephone number, and email address of the person who will serve as a contact for EPA on issues related to stormwater management at your facility. This person should be able to answer questions related to stormwater discharges, the SWPPP, and other issues related to stormwater permit coverage, or have immediate access to individuals with that knowledge. This person does not have to be the facility operator, but should have intimate knowledge of stormwater management activities at the facility.

2. If you are making your Stormwater Pollution Prevention Plan publicly available on a website provide the appropriate Internet URL address. (Please note that by posting your SWPPP on the web, you may qualify for a shortened authorization waiting period. See Table 1-2 of the MSGP for more information.)

Section F. Endangered Species Protection

1. Based on the instruction provided in Appendix E of the MSGP 2008, indicate which permit criterion (A,B,C,D,E, or F) listed in Part 1.1.4.5 you are using to satisfy your eligibility obligations for protection of endangered and threatened species, and designated critical habitat.

2.a. If you select criterion E (not likely to adversely affect), list those federally-listed endangered or threatened species and any federally-listed designated critical habitat expected to exist in proximity to your facility.

2.b List the pollutants that you expect to be present in your stormwater discharge. Include any pollutants that you may have included in D.2.b.3 above.

2.c If you selected "yes" in C.2 then you are considered an existing discharger and must answer all the questions in F.2.c.1–5; otherwise you are considered a new discharger and may skip the questions under F.2.c. If you are an existing discharger who was previously covered under the MSGP 2000, indicate whether you have any previous effluent monitoring data.

2.c1-2.If you select "No," to F.2.c then indicate why you don't have any data. Also indicate if you have any other data characterizing pollutants in your stormwater discharge.

2.c.3. If you select "Yes," to F.2.c then indicate whether you exceeded any benchmark.

2.c.4 Indicate whether you have exceeded any applicable effluent limitation guideline, or caused or contributed to an exceedance of state or tribal water quality requirement(s).

2.c.5. If you select "Yes" to F.2.c.3.and/or F.2.c.4 then indicate the pollutant parameters for which you exceeded the benchmark, applicable effluent limitation guideline, or State or Tribal water quality requirement(s).

2.d. Attach your supporting rationale for your determination of the applicability of Criterion E for your facility (applies to both new and existing dischargers). Your documentation should address species and habitat listed in F.2.a and the potential effects of pollutants listed in F.2.b on the listed species and habitat. This should include consideration of any available data characterizing pollutants in your stormwater discharge, or in the discharge of similar facilities if data for you facility is not available, that may be of concern to listed species.

3. If you select Criterion F (already addressed in another operator's valid certification), provide the tracking number that the operator received in their confirmation letter or email from EPA's NOI Processing Center (see Appendix E). You can find the tracking number assigned to your previous NOI on EPA's NOI Search website (www.epa.gov/npdes/noisearch). An example where criterion F may apply includes airports where several individual airlines have applied for coverage under the MSGP, and the entire airport also has applied for or obtained coverage. If the airport has already certified under Appendix E, and that certification addresses any potential impacts from the individual airlines, then the airlines may reference the airport's permit tracking number.

Section G. Historic Preservation

Based on the instruction provided in Appendix F of the MSGP 2008, indicate which permit criterion (A, B, C, or D) listed in Part 1.1.4.6 of the MSGP you used to satisfy your eligibility obligations for protection of historic properties.

Section H. Certification

Certification statement and signature (see Section B.11 of Appendix B of the MSGP for more information). Enter certifier's printed name, title and email address. Sign and date the form. (CAUTION: An unsigned or undated NOI form will prevent the granting of permit coverage.) Federal statutes provide for severe penalties for submitting false information on this application form. Federal regulations require this application to be signed as follows:

For a corporation: by a responsible corporate officer, which means:

(i) president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation, or

(ii) the manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

For a partnership or sole proprietorship: by a general partner or the proprietor; or

For a municipal, State, Federal, or other public facility: by either a principal executive or ranking elected official.

If the NOI was prepared by someone other than the certifier (for example, if the NOI was prepared by the facility SWPPP contact or a consultant for the certifier's signature), include the name, organization, phone number and email address of the NOI preparer.

Paperwork Reduction Act Notice

Public reporting burden for this certification is estimated to average 3.7 hours per certification, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose to provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. Send comments regarding the burden estimate, any other aspect of the collection of information, or suggestions for improving this form, including any suggestions which may increase or reduce this burden to: Director, Office of Environmental Information Services, Collection Services Division (2823), USEPA, 1200 Pennsylvania Avenue, NW, Washington, DC 20460. Include the OMB control number of this form on any correspondence. Do not send the completed NOI form to this address.

U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA)
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
EPA's NOI PROCESSING CENTER

08/29/2013
Company: AES-PUERTO RICO
ATTN: RON RODRIQUE
PO BOX 1890
GUAYAMA, PR 00785
Permit Number: PRR05BL65

Facility: AES PUERTO RICO, LP
ROAD #3 KM 142 JOBOS WARD
GUAYAMA, PR 00784

Dear RON RODRIQUE:

This email/letter acknowledges that you have submitted a complete Notice of Intent form to be covered under the NPDES General Permit for Stormwater Discharges for Multi-Sector General Permit Activity (Multi-Sector General Permit). Coverage under this permit begins at the conclusion of your thirty-day waiting period, on 02/25/2009.

As stated above, this letter acknowledges receipt of a complete Notice of Intent. However, it is not an EPA determination of the validity of the information you provided. Your eligibility for coverage under the Permit is based on the validity of the certification you provided. Your signature on the Notice of Intent certifies that you have read, understood, and are implementing all of the applicable requirements. An important aspect of this certification requires that you correctly determine whether you are eligible for coverage under this permit.

As you know, the Multi-Sector General Permit requires you to have developed and begun implementing a Stormwater Pollution Prevention Plan (SWPPP) and outlines important inspection and record keeping requirements. You must also comply with any additional location-specific requirements applicable to your state or tribal area. A copy of the Multi-Sector General Permit must be kept with your SWPPP. An electronic copy of the Permit and additional guidance materials can be viewed and downloaded at http://www.epa.gov/npdes/stormwater.

For tracking purposes, the following number has been assigned to your Notice of Intent Form: PRR05BL65.

If you have general questions regarding the stormwater program or your responsibilities under the Multi-Sector General Permit, please call

EPA Region 2

Sergio Bosques (787) 977-5838

If you have questions about your Notice of Intent form, please call the EPA NOI Processing Center at

1-866-352-7755 (toll free) or send an inquiry via the online form at http://www.epa.gov/npdes/noicontact.

Next time, you can use the eNOI system (http://www.epa.gov/npdes) to apply for a Notice of Intent.

EPA NOI Processing Center
Operated by Avanti Corporation
1200 Pennsylvania Ave., NW
Mail Code: 4203M
Washington, DC 20460
1-866-352-7755

MSGP MONITORING REQUIREMENTS

U.S. ENVIRONMENTAL PROTECTION AGENCY
(EPA)
NATIONAL POLLUTANT DISCHARGE ELIMINATION
SYSTEM (NPDES)
EPA NOI Processing Center

Company: AES-PUERTO RICO
ATTN: RON RODRIQUE
PO BOX 1890
GUAYAMA, PR 00785

Facility: AES PUERTO RICO, LP
ROAD #3 KM 142 JOBOS WARD
GUAYAMA, PR 00784

Based on the industry sector information you provided in your NOI, you are subject to monitoring and subsequent reporting requirements. A summary of your industry related monitoring requirements are provided below.

The Multi-Sector General Permit (MSGP) includes five types of required analytical monitoring, one or more of which may apply to your discharge:

- Quarterly benchmark monitoring (see Part 6.2.1)
- Annual effluent limitations guidelines monitoring (see Part 6.2.2);
- State- or Tribal-specific monitoring (see Part 6.2.3);
- Impaired waters monitoring (see Part 6.2.4); and
- Other monitoring as required by EPA (see Part 6.2.5).

Section 6.2.4.1 of the MSGP, states "If you discharge to an impaired water, you must monitor for all pollutants for which the waterbody is impaired and for which a standard analytical method exists (see 40 CFR Part 136). In addition, remember to review Part 9 of the MSGP 2008 to determine if you have additional state or tribal requirements (www.epa.gov/npdes/msgp). You may view and download monitoring guidance, including A Stormwater Sampling Guide for Industrial Facilities, at http://www.epa.gov/npdes/msgp. You may also now submit your monitoring results using the EPA's eReporting system at http://cdx.epa.gov/epa_home.asp .

You are also required to submit an annual report to EPA (see Part 7.2 of the MSGP). This report will contain the findings from your comprehensive site inspection, including a discussion of any corrective actions required during the reporting period. You will also need to submit an Exceedance Report to EPA if follow-up monitoring exceeds your effluent limitation guideline-based effluent limits (see Part 7.3), as well as any

additional reports required under this permit (see Part 7.4).

Sector: O-Steam Electric Generating Facilities

Benchmark Requirements			
Parameter	Value	Unit	Reporting Period/Type
Total Iron	1.0	mg/L	

Sector: Q-Water Transportation

Benchmark Requirements			
Parameter	Value	Unit	Reporting Period/Type
Total Aluminum	0.75	mg/L	
Total Iron	1.0	mg/L	

Benchmark Requirements for Hardness Dependent Pollutants			
Parameter	Hardness Range	Reported Value	Unit
Total Lead	0 - 25	0.014	mg/L
Total Lead	25 - 50	0.023	mg/L
Total Lead	50 - 75	0.045	mg/L
Total Lead	75 - 100	0.069	mg/L
Total Lead	100 - 125	0.095	mg/L
Total Lead	125 - 150	0.122	mg/L
Total Lead	150 - 175	0.151	mg/L
Total Lead	175 - 200	0.182	mg/L
Total Lead	200 - 225	0.213	mg/L
Total Lead	225 - 250	0.246	mg/L
Total Lead	250 - 10000	0.262	mg/L
Total Zinc	0 - 25	0.04	mg/L
Total Zinc	25 - 50	0.05	mg/L
Total Zinc	50 - 75	0.08	mg/L
Total Zinc	75 - 100	0.11	mg/L

Total Zinc	100 - 125	0.13	mg/L
Total Zinc	125 - 150	0.16	mg/L
Total Zinc	150 - 175	0.18	mg/L
Total Zinc	175 - 200	0.2	mg/L
Total Zinc	200 - 225	0.23	mg/L
Total Zinc	225 - 250	0.25	mg/L
Total Zinc	250 - 10000	0.26	mg/L

Note: If you are subject to benchmark monitoring requirements for any hardness-dependent metals, you must follow the procedures in Appendix J for establishing the hardness value for your receiving water.

AES Puerto Rico
PO Box 1890
Guayama, PR 00785
tel 787 866 8117
fax 787 866 8139
www.aespuertorico.com

August 29, 2013

VIA EMAIL

Stormwater Notice Processing Center
EPA East Building, RM. 7420
1201 Constitution Avenue, NW
Washington, DC 20004

Re: NOI Modification Access Request
Administrative Compliance Order
Docket Number CWA-02-2012-3100
NPDES Tracking Number PRR05BL65

Dear Officials:

AES Puerto Rico, LP (AES-PR) is hereby submitting to EPA a request for NOI Modification Access in order to change the NOI electronically and to return to compliance. Following are the items required to complete this request;

1. CDX ID: hectoravilaaes
2. Email registered for CDX: hector.avila@aes.com
3. Role: Staff
4. Full name: Hector M Avila
5. Permit Tracking Number: PRR05BL65

1. CDX ID: ron.rodrique
2. Email registered for CDX: ron.rodrique@aes.com
3. Role: Certifying Official
4. Full name: Ron Rodrique
5. Permit Tracking Number: PRR05BL65

If you have any questions or require additional information please feel free contact me at (787) 866-8117 ext. 2266.

Sincerely,

Ramiro Rivera
Engineering Manager

Cc: Mr. José A. Rivera, EPA; Mr. Ron Rodrique, AES-PR; Eng. Winston Esteves PE
Mr. Manuel Mata, AES-PR; Environmental Files

Attachment No. 2: Permit Eligibility Documentation

MULTI-SECTOR GENERAL PERMIT FOR STORMWATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY (MSGP)

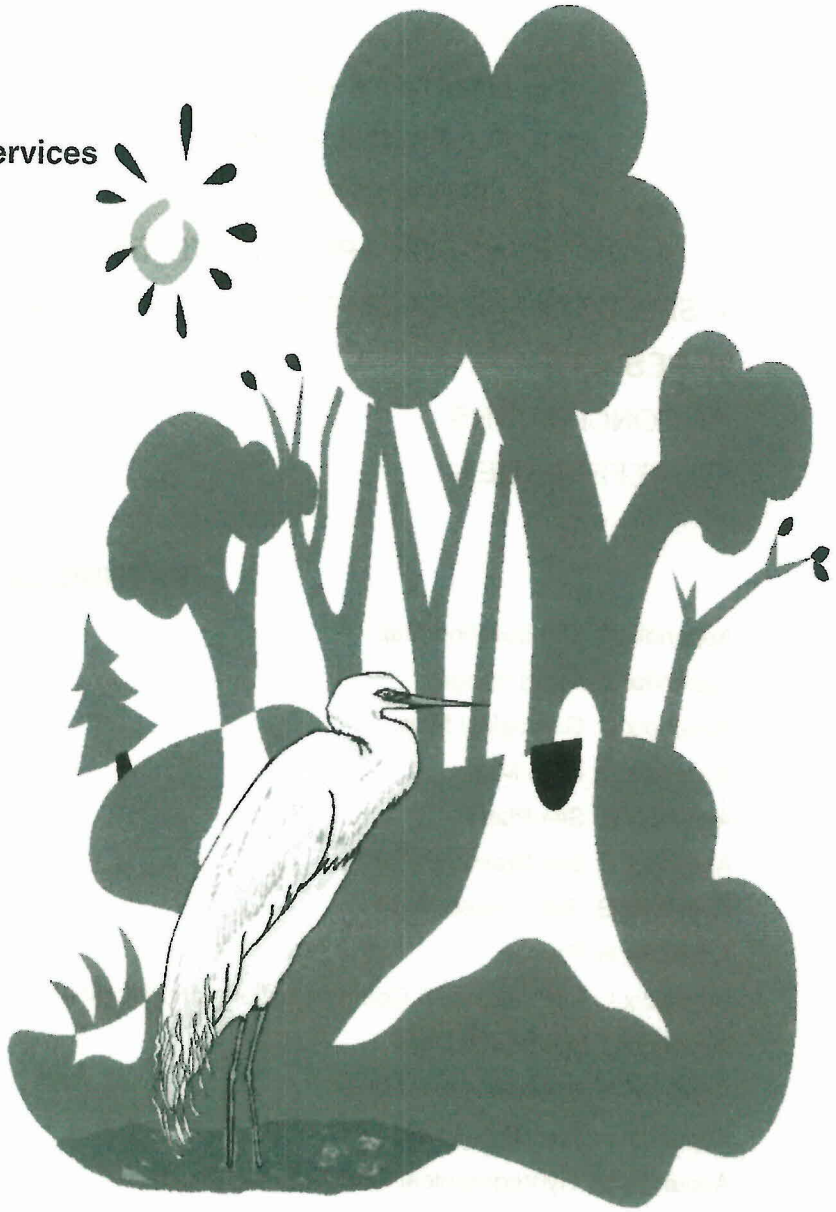
Notice of Intent (NOI), Eligibility Requirements

Procedures Relating to Endangered Species Protection

TAPI Puerto Rico, Inc.

Guayama, Puerto Rico

Prepared by: EcoAventuras Inc.
Environmental Consultants & Services



June 2013

I. BACKGROUND

The Clean Water Act ("CWA") establishes a comprehensive program "to restore and maintain the chemical, physical, and biological integrity of the Nation's waters."

Section 405 of the Water Quality Act of 1987 (WQA) added section 402(p) of the CWA, which directed the EPA to develop a phased approach to regulate stormwater discharges under the NPDES program. EPA published a final regulation establishing permit application requirements for "stormwater discharges associated with industrial activity". EPA defined the term "stormwater discharge associated with industrial activity" in a comprehensive manner to cover a wide variety of facilities. See 40 CFR 122.26(b)(14).

Operators choosing to be covered by this permit must submit a complete and accurate Notice of Intent (NOI) and certify in the NOI that they meet the requirements, described in Part 1 of the permit, including the requirement to select, design, and install control measures to comply with the technology- and water quality-based effluent limits in Part 2 and to develop a SWPPP, pursuant to Part 5. Once covered under this permit, a permittee is required to take corrective action if it determines through inspection, evaluation, or monitoring that the control measures chosen to meet the limits are not adequately reducing pollutants in the discharge.

Endangered and Threatened Species and Critical Habitat Protection. Coverage is available only if the stormwater discharges, allowable non-stormwater discharges, and stormwater discharge-related activities from a regulated facility will not adversely affect any species that are federally-listed as endangered or threatened ("listed") under the Endangered Species Act (ESA) and will not result in the adverse modification or destruction of habitat that is federally-designated as "critical habitat" under the ESA. This report describes the methodology followed by TAPI Puerto Rico Inc. (TAPI) to meet the above requirement. This biological survey is an update of a previous evaluation made by Chemsource in 1998 in the same industrial site.

- Electrical sub-station

The pharmaceutical products are sold to other pharmaceutical manufacturing facilities to be processed into finished dosage products before they are introduced into the consumer market. The main operations in this facility are raw materials dispensing, and chemical and physical processes such as mixing, chemical reactions and physical separation, among others. See Appendix A: Location Map, Appendix B: Aerial Photo 2009 and Appendix F: Site Drainage Plan.

Vegetation coverage at the plant property is associated to ornamental landscape arrangements. Surrounding landscape is a mosaic of dry coastal scrubland, mangroves and semi deciduous coastal forest. The stormwater runoff of the plant initially drains to wetlands in the neighbor AES facility. The runoff eventually drains to a drainage channel which also discharges into Las Mareas Bay. No direct hydrological connection to the Jobos Bay exists, other than the Caribbean Sea.

Nonetheless, ecological functions of the landscape, still provides bio-filtration, erosion control and nutrient fluxes to the natural system. The action area does not provide adequate/optimal habitat for potential listed species.

III. INTRODUCTION

This report contains the results of a habitat assessment for the TAPI property studied in Guayama, Puerto Rico. This assessment followed the procedures outlined in Appendix E of the Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity (2008 MSGP). In addition, sampling for flora and fauna was collected systematically along the action area. [Appendix A: Location Map and Appendix B: Aerial Photo]

D. Hydrology

The study area hydrology is driven mainly by the influences of orographic events and tidal fluxes. See Appendix M: Hydrographical Features Map.

E. Habitat Assessment

A habitat assessment was conducted using a geographical data base and site sampling. The geographical data set provided a broader landscape approach, while the site sampling reflects the existing coverage. No Critical Habitat has been designated within the immediate action area.

The site is covered by operational structures including buildings, roads, and parking upon patches of lawn and landscape arrangements including trees, palms and shrubs of various species. The Aguirre State Forest, administered by the PR DNER, is located at about 1.09 km west of the site. Vegetation coverage is associated to ornamental landscape arrangements at the plant property. Surrounding landscape is a mosaic of dry coastal scrubland, mangroves and semi deciduous coastal forest. The stormwater discharges flows initially to a wetland in the neighbor AES property and then to a channel which drains to Las Mareas Bay. No direct hydrological connection to the Jobos Bay exists.

Nonetheless, ecological functions still provide bio filtration, erosion control and nutrient fluxes to the natural system. The action area does not provide adequate habitat for potential listed species.

A series of transects and point counts were used to assess species composition within the action area and further far to describe the landscape. Refer to Appendix K: Species Habitat Map and Appendix L: Sampling Array. Transects were two meters wide by varying distances according to sampling area. Point counts were established every 250m and are approximately 10m diameter. All plant and animal species were included in a

Table 1: Flora Composition List for the Study Site

Area I Mangrove Fringe			
Scientific Name	**Family**	**Common Name** (Spanish and or English)	**Habit**
Prosopis juliflora (Sw.)DC.	Leguminosae-Mimosoideae	Mesquite	Tree
Capparis flexuosa (L.) L.	Capparaceae	Palinguán, limber caper	Tree
Laguncularia racemosa(L.) C.F.Gaertn.	Combretaceae	White mangrove	Tree
Cryptostegia madagascariensis Bojer ex Dcne.	Asclepiadaceae	Rubber vine	Woody vine or shrub
Panicum diffusum Sw.	Poaceae	West Indian panicgrass	Herbaceous
Portulaca oleracea L.	Portulacaceae	Verdolaga	Scandet Herbaceous
Sesuvium maritimun	Aizoaceae	Slender seapurslane	Annual Herbaceous
Hibiscus pernambucencis Arruda	Malvaceae	Emajagua	Tree
Rhizophora mangle L.	Rhizophoraceae	Mangle Rojo, American mangrove	Tree
Avicennia germinans (L.)L.	Avicenniaceae-Verbenaceae	Mangle prieto, Mangle negro	Tree
Capparis hastata Jacq.	Capparaceae	Burro, Broadleaved caper	Shrub
Conocarpus erectus L.	Combretaceae	Mangle botón	Tree
Paspalum distichum L.	Poaceae	Knotgrass	Herbaceous
Urochloa maxima(Jacq.)R.D.Webster	Poaceae	Yerba de Guinea	Herbaceous
Jasminum fluminense Vell.	Oleaceae	Jasmín de trapo	Vine
Gossypium hirsutum var marie-galante (Watt.)	Malvaceae	Algodón silvestre	Herbaceous

Area II Scrubland			
Scientific Name	**Family**	**Common Name** (Spanish and or English)	**Habit**
Ipomoea purpurea (L.) Roth	Convolvulaceae	Common morning glory	Vine
Capparis flexuosa (L.) L.	Capparaceae	Palinguán, limber caper	Tree
Sesbania sericea (Willd.) Link.	Leguminosae-Papilonoideae	Papagayo	Shrub

Area III Mangrove			
Scientific Name	**Family**	**Common Name** (Spanish and or English)	**Habit**
Avicennia germinans (L.)L.	Leguminosae-Mimosoideae	Mesquite	Small tree or Tree
Laguncularia racemosa(L.) C.F.Gaertn.	Combretaceae	Mangle blanco, White mangrove	Tree
Hibiscus pernambucencis Arruda	Malvaceae	Emajagua	Tree
Coccoloba uvifera L.	Polygonaceae	Uva de Playa,seagrape	Tree
Cryptostegia madagascariensis Bojer ex Dcne.	Asclepiadaceae	Rubber vine	Woody vine or shrub
Sesuvium maritimun	Aizoaceae	Slender seapurslane	Herbaceous
Cyperus ligularis L.	Cyperaceae	Alabama swamp flatsedge	Herbaceous
Capparis flexuosa (L.) L.	Capparaceae	Palinguán, limber caper	Tree
Pithecellobium dulce(Roxb.)Benth.	Leguminosae-Mimosoideae	Guamá americano	Tree
Prosopis juliflora (Sw.)DC.	Leguminosae-Mimosoideae	Mesquite	Tree
Rhizophora mangle L.	Rhizophoraceae	Mangle Rojo,American mangrove	Tree
Bursera simarouba (L.) Sarg.	Burseraceae	Almácigo	Tree

Area IV Coast			
Scientific Name	**Family**	**Common Name** (Spanish and or English)	**Habit**
Leucaena leucocephala (Lam.) de Wit	Leguminosae-Mimosoideae	Zarcilla	Shrub
Tamarindus indica L.	Leguminosae-Papilonoideae	Tamarindo	Tree
Gossypium hirsutum var marie-galante (Watt.) J.B.Hutchinson	Malvaceae	Algodón silvestre, Cotton	Shrub
Sansevieria hyacinthoides(L.) Druce	Dracaenaceae-Liliaceae	Lengua de vaca	Herbaceous
Cyperus ligularis L.	Cyperaceae	Alabama swamp flatsedge	Herbaceous

Area V Wetland			
Scientific Name	**Family**	**Common Name**(Spanish and or English)	**Habit**
Typha dominguensis	Leguminosae-Mimosoideae	Mesquite	Small tree or Tree
Cryptostegia madagascariensis Bojer ex Dcne.	Asclepiadaceae	Rubber vine	Woody vine or shrub
Paspalum distichum L.	Poaceae	Knotgrass	Herbaceous
Heliotropium curassavicum L.	Boraginaceae	Cotorreara de playa, Seaside heliotrope,salt heliotrope	Herbaceous
Capparis flexuosa (L.) L.	Capparaceae	Palinguán, limber caper	Tree
Sesbania grandiflora(L.)Pers.	Leguminosae-Papilonoideae	Báculo	Shrub
Neptunia oleracea Lour.	Leguminosae-Mimosoideae	Water Mimosa	Herbaceous
Aeschynomene americana L.	Leguminosae-Papilonoideae	Moriviví bobo,yerba rosario	Herbaceous
Pithecellobium dulce(Roxb.)Benth.	Leguminosae-Mimosoideae	Guamá americano	Tree
Gossypium hirsutum var marie-galante (Watt.) J.B.Hutchinson	Malvaceae	Algodón silvestre,cotton	Shrub

Area VII TAPI PR			
Scientific Name	**Family**	**Common Name** (Spanish and or English)	**Habit**
Typha dominguensis	Leguminosae-Mimosoideae	Mesquite	Small tree or Tree
Ipomoea purpurea (L.) Roth	Convolvulaceae	Common morning glory	Vine
Ludwigia octovalvis (L.) Ell.	Onagraceae	Yerba cangá,Yerba de clavo	Herbaceous
Phaseolus vulgaris L.	Leguminosae-Papilonoideae	Kidney bean	Herbaceous
Pterocarpus indicus Willd	Leguminosae-Papilonoideae	Pterocarpo	Tree
Cordia sebestena L	Boraginaceae	Vomitel	Tree
Melaleuca leucadendra (L.) L.	Myrtaceae	Cajeput,Paper tree	Tree
Cocos nucifera L.	Arecaceae-Palmae	Palma de Cocos	Tree
Spathadoea campanulata Beauv.	Bignoniaceae	Tulipán africano, Meaito	Tree
Bucida buceras L.	Combretaceae	Úcar	Tree
Syagrus romanzoffiana (Cham.)Glassman	Arecaceae-Palmae	Coco plumoso	Tree
Delonix regia (Bojer ex Hook.)Raf.	Leguminosae-Caesalpinoidea	Flamboyán	Tree
Peltophorum pterocarpum (DC.) Backer ex K.Heyne	Leguminosae-Caesalpinoidea	Peltoforum,	Tree
Tabebuia heterophylla	Bignoniaceae	Roble común	Tree
Tamarindus indica L.	Leguminosae-Papilonoideae	Tamarindo	Tree
Axonopus compressus(Sw.) Beauv.	Poaceae	Grama colorada,carpet grass	Herbaceous
Chamaesyce hyssopifolia(L.)Small	Euphorbiaceae	Lechera,Hyssop sandmat	Herbaceous
Echinochloa colona(L.)Link	Poaceae	Arrocillo,Jungle ricegrass	Herbaceous

Table 2: Fauna List for the Study Site

Area I	Class	Family	Scientific Name	Common Name Spanish
	Aves	Mimidae	Mimos polyglotus	Ruiseñor
	Aves	Icteridae	Quiscalus niger	Chango
	Aves	Columbidae	Zenaida asiatica	Tórtola aliblanca
	Aves	Tyranidae	Tyranus dominicensis	Pitirre
	Aves	Emberizidae	Dendroica petechia	Canario de mangle
	Aves	Laridae	Strena maxima	Gaviota real
	Aves	Laridae	Sterna antillarum	Gaviota chica
	Reptilia	Iguanidae	Anolis pulchelus	lagartijo de jardín
	Aves	Emberizidae	Dendroica adelaidae	Reinita mariposera
	Aves	Pelicanidae	Pelicanus occidentalis	Pelicano
	Amphibia	Bufonidae	Bufo marinus	Sapo
	Reptilia	Iguanidae	Anolis cristatelus	Lagartijo comun
	Reptilia	Iguanidae	Anolis pulchelus	Lagartijo de jardín
	Aves	Ardeidae	Butorides virescens	Martinete
	Aves	Ardeidae	Ardea alba	Garza Real
	Aves	Ardeidae	Bubulcus ibis	Garza ganadera
	Aves	Emberizidae	Tiaris bicolor	Gorrión negro
	Invertebrates			
		Cardiosoma guanhumi	Cangrejo	
		Geocarcinus	Cariba	
Area II	**Class**	**Family**	**Scientific Name**	**Common Name Spanish**
	Aves	Tyranidae	Tyranus dominicensis	Pitirre
	Aves	Emberizidae	Dendroica adelaidae	Reinita mariposera
	Aves	Mimidae	Mimos polyglotus	Ruiseñor
	Aves	Columbidae	Zenaida asiatica	Tórtola aliblanca
	Aves	Icteridae	Quiscalus niger	Chango
	Aves	Columbidae	Columbina passerina	Rolitade P. R.
	Aves	Emberizidae	Spindalis zena	Reinamora
Area III	**Class**	**Family**	**Scientific Name**	**Common Name Spanish**
	Aves	Emberizidae	Dendroica petechia	Canario de mangle
	Aves	Laridae	Strena maxima	Gaviota real
	Aves	Laridae	Sterna antillarum	Gaviota chica
	Aves	Tyranidae	Tyranus dominicensis	Pitirre
	Aves	Aedeidae	Nycticorax violaceua	Yaboa comu
	Aves	Emberizidae	Coereba flaveola	Reinita comun

G. Listed Species

Endangered and threatened species are protected in Puerto Rico by two regulations, namely:

1. The Endangered Species Act. Section 6 establishes coordination with the States Government.
2. Regulations for the Conservation and Management of Threatened and Endangered Species in the Commonwealth of Puerto Rico, Law 241 and its Regulations. (Department of Natural and Environmental Resources, 1985, 2004).

This biological survey confirms that there are no listed species either at the Federal or State levels within TAPIs manufacturing area and in the action area which is defined below in Section H of this report to be the area affected by the stormwater discharge up to the receiving water body in the AES property.

There is a protected area, the Aguirre State Forest, located at about 1.09 km west of the site. No Critical Habitats are designated within the area. The action area does not provide adequate habitat for potential listed species.

Nonetheless, listed species are recorded within the surrounding landscape and were considered for eligibility requirements in this case due to mobility of individuals. Details are included in Section VI (Results).

H. Action Area Definition

Action area is defined as all areas affected directly or indirectly by the stormwater discharges, allowable non-stormwater discharges, and stormwater discharge-related activities, and not merely the immediate area involved in these discharges and activities. This includes areas beyond the footprint of the facility that are likely to be affected by

The action area was delimited to the connection with the AES drainage channel and its adjacent herbaceous wetland dominated by Typha.

Further biological assessment covered an extensive area to address composition of species taking into account the lack of continuous flow in the existing drainage channel and the bio filtration functions of the floral habitat along the coastal fringe.

A series of guiding steps are suggested by the 2008 MSGP manual including:

- **Step One:** Determine if the Eligibility Requirements of Criterion B, C or F Can Be Met.
- **Step Two:** Determine if Listed Threatened or Endangered Species and Critical Habitat are Present in the Action Area.
- **Step Three:** Determine if your Activities Are Not Likely to Adversely Affect Listed Threatened or Endangered Species or Designated Critical Habitat.
- **Step Four:** Determine if Measures Can Be Implemented to Avoid Adverse Effects or If Further Analysis Supports the Conclusion that Adverse Effects Are Not Likely.
- **Step Five:** Determine if the Eligibility Requirements of Criteria D Can Be Met.

Coverage under the MSGP is available only if the stormwater discharges, allowable non-stormwater discharges, and stormwater discharge-related activities will not adversely affect any species that are federally-listed as endangered or threatened ("listed") under the Endangered Species Act (ESA) and will not result in the adverse modification or destruction of habitat that is federally-designated as "critical habitat" under the ESA. The regulated facility must meet one of the criteria below, following the procedures in Appendix E of the 2008 MSGP.

Criterion A. No federally-listed threatened or endangered species or their designated critical habitat are likely to occur in the "action area" as defined in Appendix A; or

The result of the coordination must be a written statement from the Service concluding that authorizing stormwater discharges, discharge-related activities, and allowable non-stormwater discharges is consistent with the determination that the issuance of the MSGP is not likely to adversely affect federally-listed threatened or endangered species and federally-designated critical habitat.

Any conditions or prerequisites deemed necessary to achieve consistency with the "not likely to adversely affect" determination become eligibility conditions for MSGP coverage, and permit requirements under Part 2.3; or

Criterion E. Authorizing the stormwater discharges associated with industrial activity, discharge-related activities, and allowable non-stormwater discharges is consistent with the determination that the issuance of the MSGP is not likely to adversely affect any federally-listed endangered and threatened ("listed") species or designated critical habitat ("critical habitat"). To support the determination that the facility meets Criterion E, the company must provide supporting documentation for the determination.

i. If the site is an existing discharger, provide the following information with the completed Notice of Intent (NOI) form:

(1) a list of the federally-listed threatened or endangered species or their designated critical habitat that are likely to occur in the "action area";
(2) a list of the pollutant parameters for which the site have ever exceeded an applicable benchmark or effluent limitations guideline, or for which the discharge has ever been found to cause or contribute to an exceedance of an applicable water quality standard, or to violate State or Tribal water quality requirements (Part 9); and
(3) the rationale supporting the determination that the facility meet Criterion E, including appropriate measures to be undertaken to avoid or eliminate the likelihood of adverse effects.

Biological Surveys

Biological surveys are an appropriate way to assess whether species are likely to be located in the action area and whether there could be adverse effects to such species. We conducted a visual inspection of the action area and further to a major landscape within the coastal area to assess the potential presence of listed species and their habitats.

A series of transects and point counts were used to assess species composition within the action area. Transects were two meters wide by varying distances according to sampling area. Point counts were established every 50m and are approximately 10m diameter. All plant and animal species were included in a cumulative species list. Particular attention was given to listed species in terms of habitat and presence/absence. Aquatic sampling was not conducted. The assessment was conducted by a biodiversity monitoring specialist early in the morning and late in the evening of a single day. Various local fishermen and neighbors were interviewed as encountered during sampling efforts

The action area does not provide adequate habitat for potential listed species.

VI. RESULTS

Upon completion of the biological survey we concluded that Criterion E is met in this case because listed species are reported or have been observed in the proximity of the action area.

Records of listed species are relatively far from the action area. Nonetheless we consider that mobility of individuals may bring them within or close to the action area. Local fishermen interviewed during the field work expressed that manatees are often seen at Jobos Bay but very rarely in Las Mareas Bay.

VII. CONCLUSIONS

The operational and action areas associated with TAPIs stormwater discharge do not reflect the existence of listed species at the Federal level. Nonetheless, other listed species are recorded within the surrounding landscape and were considered for Criterion E in this case due to mobility of individuals. We conclude that Criterion E is met in this case.

No Critical Habitats are designated. The operational and action areas do not support habitat(s) that are suitable for listed species or the constituent elements of critical habitat.

We also conclude that the stormwater discharge generated at TAPI is not likely to adversely affect threatened or endangered species that are likely to occur in the vicinity of the studied action area.

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Attachment No. 3: 2008 MSGP